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JAN 14 2008



January 12, 2008 **Office of the City Manager**

Ms. Letitia A. Thompson
Regional Administrator, Region III
Federal Transit Administration
1750 Market Street
Suite 500
Philadelphia, PA 19103-4124

Dear Ms. Thompson:

I am responding to your letter in regard to the Joint Development proposal for the Takoma Metrorail Station, which we received on November 16, 2008. The letter stated that FTA was suspending its review, and asked that we review the "new" site plan in light of comments received, and FTA Guidance. We have done that and respectfully ask that you re-start your review of the Takoma Station proposal, and approve it at your earliest convenience.

Before responding to the main point of your letter, I must correct what appears to be a misunderstanding about the "new" site plan, which as it affects Washington Metropolitan Area Transit Authority (WMATA), is really a minor revision. A short background may be helpful.

When the WMATA Board approved the Takoma project, one of our Directors suggested that the developer continue community discussions in an attempt to resolve differences. Subsequently Maryland Secretary of Transportation John Porcari coordinated a meeting with interested parties, the result of which was that the developer agreed to meet with a consultant retained by the City of Takoma Park, MD. The resulting revisions left the WMATA facilities almost totally unchanged. The most significant change was to remove all car traffic from the roundabout. (The plan and a more complete analysis are attached). Since there was a general preference for the revision, the developer agreed to submit it to WMATA. No further action by WMATA is required in regard to this revision.

In your letter, you asked that we respond to you with reference to FTA's Joint Development guidance of February 7, 2007 and particularly the guidance that the project enhances the effectiveness of public transportation.

The Guidance states "Any reasonable forecast of joint development impacts that enhance the effectiveness of a public transportation project shall satisfy this criterion. These impacts may include, but are not limited to, any of the following: Increased ridership, shortened travel times, and lessened or deferred transit operating costs." WMATA estimates increased ridership as a result of the proposed development. Utilizing information from the 2000 Census Transportation Planning Package and the 2005 WMATA Development Survey, WMATA estimates that there will be approximately 152 additional average weekday rail trips based on 77 townhouses.

**Washington
Metropolitan Area
Transit Authority**

600 Fifth Street, NW
Washington, D.C. 20001
202/962-1234

*By Metrorail:
Judiciary Square-Red Line
Gallery Place-Chinatown
Red, Green and
Yellow Lines*

*A District of Columbia,
Maryland and Virginia
Transit Partnership*

Ms. Letitia A. Thompson

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The effectiveness of public transportation will also be enhanced by the following:

Safety: Currently many pedestrians entering the station weave their way through car and bus traffic in the large asphalt lot to get to the rail station, or as one of the community members said in his letter to FTA, "Pedestrians entering from Eastern Avenue have to keep their wits about them." Instead, pedestrians accessing the station from any direction will have sidewalks and no more than one crossing of a vehicle path. The crossings will be via a crosswalk at which vehicles will be required to stop at either a stop sign or a traffic signal. A decorative railing will prevent patrons from darting between buses to access the station entrance. The Carroll Street crossings will have a traffic signal and "walk" signs.

Some in the community viewed buses and cars sharing the top third of the roundabout as a safety issue. While WMATA is accustomed to its buses sharing DC traffic circles with cars, the revised plan completely removes cars from the roundabout, eliminating the possibility of a conflict.

Access for the Disabled: The community comments are overwhelmingly car-centric and ignore the improvements for disabled bus riders. The approximate distance for a disabled bus rider to access the rail station from the furthest bus drop off point will be reduced from approximately 650' to 430', and for the closest drop off point from approximately 200' to 50'. The distance for a disabled patron brought by car will increase from approximately 75' to 200'. However the updated station will provide for covered auto drop-off/pick up which does not now exist.

Other Access: The number of bike lockers and bike racks will be increased to 70 and 60 respectively while the number of car spaces remains the same.

Bus Capacity/Future Expansion: There will be one additional bus bay and four new layover spaces. The current configuration has no designated layover spaces, although there are some informal ones which require other buses to swing out of lane to get around the waiting buses. Some in the community have commented that the distant future has not been considered in planning the bus facilities at Takoma Station. In fact, over \$90 million is being spent to construct the Silver Spring Transit Center and the Takoma-Langley Transit Center. Both of these are located in regional commercial areas near Takoma Station, and on major arterial roads capable of handling increased bus traffic. The Takoma station is located approximately half-way between these two major hubs. The surrounding area is characterized by small, neighborhood shopping areas and then mostly single family residential uses, with narrower streets than those at the two Transit Centers. The bulk of the expansion of bus service into the distant future is planned to be accommodated at the two Transit Centers.

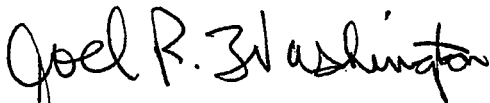
Ms. Letitia A. Thompson
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The attachments explain the minor revisions to the plan that resulted from the collaborative effort of the developer and the City of Takoma Park's consultant. Through coordination by WMATA's Department of Planning and Joint Development, all relevant WMATA departments and offices have reviewed and concur with the revisions to the site plan. There is also a chart categorizing the issues raised by the community in letters to FTA, and responses to those issues.

It should also be pointed out that the project is in the District of Columbia and has the support of Mayor Fenty and Councilmembers Graham and Bowser. Mr. Graham is also a WMATA Board member and voted in favor of the project. The site is located in the ward that Ms. Bowser represents.

We respectfully ask that you re-start your review of the Takoma Station proposal, and approve it at your earliest convenience. As always, we stand ready to answer any further questions you may have.

Sincerely,



Joel R. Washington
Director of Station Area Planning and Asset Management
Department of Planning and Joint Development

Attachments

cc: Brian Glenn, FTA
Mamie Smith-Fishe, FTA
Jayme Blakesly, FTA
Hon. Adrian Fenty
Hon. Eleanor Holmes Norton
Hon. Bruce Williams
Hon. Jim Graham
Hon. Michael Brown
Hon. Muriel Bowser
Hon. Valerie Ervin
Hon. Chris Van Hollen
Secretary John Porcari
Neil Albert, Deputy Mayor
Anthony Giancola, WMATA Director
Gordon Linton, WMATA Director
Betty Hewlett, WMATA Director
Marcel Solomon, WMATA Director
Peter Benjamin, WMATA Director

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cc: Dan Tangherlini, City Administrator
Harriet Tregoning, Director, DC Office of Planning
Emeka Moneme, WMATA
Nat Bottigheimer, WMATA

Attachment 1

Principal Differences Between 8/2/07 Plan and 9/15/08 Plan

WMATA facilities are almost entirely unchanged. Number, location and circulation of bus bays are unchanged. Location of parking garage and access is unchanged. Number of parking spaces may increase slightly.

Road adjoining Village Green no longer intersects with the roundabout. It is now a one way street which curves to exit onto Eastern Avenue.

None of the private alleys intersect with the road connecting the roundabout with Eastern Avenue. As a result, that road will be dedicated exclusively to transit station traffic. It will be signed at the Eastern Avenue entrance as Takoma Station traffic only. Cars will be prohibited from traversing further than the garage entrance. The remainder of that road, the roundabout, and the bus loops will be for bus traffic only.

Within the townhouse development, there was formerly a wide street with sidewalks on both sides that led to the Village Green. That road has been moved so that it aligns with the elevator entrance to the Metrorail station. This meets one of the objectives of the consultant retained by Takoma Park, MD to have a line of sight from the elevator entrance to Eastern Avenue.

The crosswalk formerly along the north side of the roundabout has been removed. It is no longer needed because there are two, closely positioned pedestrian paths leading directly to the station from Eastern Avenue. This will also facilitate the flow of bus traffic.

The bus shelters have been moved back against the retaining wall so that instead of two pedestrian paths on either side of the shelters there is one wider pedestrian path.

Attachment 2

Community Issues Chart

Person	Method	Date	Bus and Car Only Entrances and Exits and Traffic Issue	Bus Capacity	Replacement Parking and/or DC Law community permit parking	Future Expansion Question	Buffer Space Issue	NEPA Question	Enhanced Public Transit Question	Pedestrian and ADA access	Fair Share for Transit and/or Appraisal Question
Jeffery Silverstone	Email	1-Sep		x	x	x					
Mark Sherman	Letter	4-Sep	x			x					
David Paris	Email	15-Sep						x			
Christine Simpson	Email	18-Sep	x	x	x				x	x	
Susan Silber	Letter	18-Sep				x			x	x	x
Peter Feiden	Email	22-Sep	x	x	x				x		
Peter Banwell	Email	23-Sep				x			x		
David Paris	Email (1)	15-Sep			x	x	x	x	x	x	x
David Paris	Email (2)	25-Sep	x	x	x	x	x	x	x	x	x
David Paris	Email (3)	25-Sep	x	x	x	x	x	x	x	x	x
Benjamin Cardin	Letter	3-Oct							x	x	x
Barbara Mikulski	Letter	6-Oct							x	X	
George French	Email	6-Oct							x		
Sara Green	Fax	6-Oct	x			x			x		
Sara Green	Fax	8-Oct		x							x
Megan Scribner	Email	8-Oct	x						x		x
Sara Green	Email	8-Oct									
Susan Ludlow	Hearing Present.	6-Oct	x	x	x	x	x		x	x	x

Attachment 3

Attachment to letter dated January 12, 2009 from Joel Washington to Letitia Thompson (the "Main Letter")

The chart categorizes the issues contained in letters sent to FTA. Many of the issues are covered in the letter from Silber, Perlman, Sigman & Tilev to Letitia Thompson dated September 18, 2008. This attachment responds to the Silber letter by topic and then to other issues raised by members of the community.

Final Site Plan. The site plan approved by the WMATA Board is the "final" site plan. As explained in the Main Letter, a minor revision, as it affects the WMATA facilities, resulted from suggestions presented to the developer by a consultant retained by the City of Takoma Park. The City of Takoma Park has, on the one hand, negotiated for plan changes through its consultant, and then is alleging to FTA that the WMATA Board approved plan is not "final." Please note that there were many opportunities for the suggestions to have been made during the protracted WMATA approval process, which included several public meetings in addition to the Compact Public Hearing, yet the consultant suggestions only came about after the WMATA Board approved the project. WMATA is under no legal obligation to consider changes after the Board approval, but the WMATA Board urged continuing conversation to achieve the best possible product, and so we try to be flexible if good, new ideas are introduced.

As for the PUD process, it is unusual for there to be significant changes to the transit facilities. More normally, those changes would be to the private development plan. The Silber letter suggests that FTA wait until after the PUD process is over. FTA has never taken Silber's position and we ask that FTA not do so now because of the negative consequences to the joint development program. It is hard to imagine that any developer, in any locale, is going to want to spend the money for a PUD or similar approval process, without first having FTA approval in hand. It would be ironic if the vocal opposition from the City of Takoma Park to one project were to stop or significantly impede joint development around the country, which could happen if FTA were to adopt the proposal from the City of Takoma Park. It may be worth noting that in some of our local jurisdictions, changes can occur after a PUD or equivalent process, so even that may not be the last stop for a site plan. We have not been able to find an example here that any such changes resulted in any significant modification to our transit facilities.

It should also be noted that the plan approved by the WMATA Board and the minor revision both track very closely with the Takoma Central District Plan and the Comprehensive Plan which were approved by the DC City Council.

Enhancing the effectiveness of public transportation

Parking Counts. This is dealt with extensively in the Main Letter. Responding to details of the Silber letter, WMATA is counting some street parking as part of the replacement parking. If there is any significant additional demand for parking from

visitors to the townhouse residents, it is likely to be during the evenings and weekends, off-peak hours from the WMATA standpoint. Ms. Silber's letter also states that car traffic will go through the roundabout. With the plan revision, this will not occur. Please note that currently parking is metered, there is no all day parking at Takoma Station, and the replacement parking whether in garage or on street will remain metered. On street parking spaces serve the same purpose as the current metered, lot parking.

Two car garages. The developer will offer to build the second garage space as a storage room instead of a garage. There is reason to believe that many buyers will choose this option. The report "Effects of TOD on Housing, Parking and Travel" (TCRP Report 128, 2008) concluded that TOD households own roughly half as many cars as comparable households not living in TODs. On typical weekdays, TOD housing projects averaged 44% fewer vehicle trips than estimated by ITE Trip Generation. In the Metrorail cases, traffic generated by TOD is 60% below that predicted by the ITE manual. Even if built with the option of a second garage, it may still be used for guest parking or for storage.

"Severe" congestion at main entrance to rail station. The plaza area as shown is 70'-80' wide and at its narrowest point 30' deep. We have not addressed this before because we have no evidence that the area shown is in any way inadequate to serve the needs of the station.

Parking is further removed from the station. Some parking is further removed in the WMATA approved plan and some is not. The reason is that the buses are moved closer. We feel this is the right order of access priority.

Pedestrian crossings. Addressed in the Main Letter. A pedestrian walking down Eastern Avenue to the station crosses one vehicle path on site today and one vehicle path in the WMATA approved plan. We note that on site currently pedestrians may also walk through the open parking lot whereas in the new plan they do not have that option and are directed to a sidewalk. Today, a pedestrian may walk between two buses and out into bus traffic to access the rail station. In the new plan, they cannot. We do not agree that the new plan is less safe for pedestrians.

Increased travel times for buses and loss of bus/car only access. In the revised plan, there is one stop sign for bus traffic that does not now exist. The reason is to provide a crosswalk for safe pedestrian crossing. This replaces the opportunity to walk across a wide open parking lot or between buses as is the current situation. To the extent that this stop sign increases travel times for buses, we believe it is a worthwhile trade off for increased pedestrian safety. In the revised plan, cars will not share the traffic circle; cars and buses will share a short piece of road which intersects with Eastern Avenue, just as they will share the road once they turn onto Eastern Avenue. We do not agree that this fact is at all material.

Transit police required to prevent illegal entry. We have areas signed for "buses only" or similar restrictions all over the Metro system. If there is an enforcement

problem, Metro police will ticket violators just as they do in the current arrangement. It should not be a problem at Takoma since someone would have to vault over a decorative fence (similar to the one the County installed in Silver Spring to control pedestrian movements) in order to get to the sidewalk. It will be much easier to go to a designated drop off area and use the crosswalk.

The EYA project does not establish new or enhanced coordination between public transportation and other transportation.

All issues here have been dealt with earlier and, we believe, demonstrate compliance with this provision (e.g. increased ridership, additional bike access). We would also like to point out that the guidance published in Federal Register (Vol. 72, No. 25, February 7, 2007) states "The public transportation improvement must ... (ii)(a) enhance the effectiveness of a public transportation project and relate physically or functionally to that public transportation project, or (b) establish new or enhanced coordination between public transportation and other transportation;"

The EYA project hinders access to the station by persons with disabilities in violation of the Americans with Disabilities Act.

We have shown in the Main Letter that the statement above is not true. The statement in the letter from Ms. Silber shows once again the City of Takoma Park's completely car-centric viewpoint by not even mentioning the significant improvement for disabled bus patrons.

There were other issues raised under this heading. Line of sight-changed by adopting the City's position in the revised plan. Contour lines-it is unreasonable for the City to suggest that there be fully engineered drawings at this point in the process. The private sector developers do not want to spend the funds for fully engineered drawings until they know that they have an approved project. This is another idea that if adopted as policy could stop or significantly impede joint development nationwide rather than enhancing "the ability of FTA grantees to work with the private sector and others for the purposes of joint development" as stated in the Guidance. The protection here is that the WMATA construction manual and the agreement with this developer require that our facilities comply with ADA standards. WMATA's Office of Adjacent Construction enforces these requirements through the plan review process as progress drawings are submitted for review.

The EYA project does not provide a fair share of revenue for public transportation.

In her comments on the use of the May 2008 appraisal, Ms. Silber misunderstands the process. The extant appraisal at the time of the WMATA Board decision valued the property at \$6,979,000*. The May 2008 appraisal (\$5,950,000*) was created solely to meet the FTA requirement for a current appraisal at the time the project is submitted. Based on the earlier, higher appraisal, the WMATA Board decided to approve receiving gross price of \$7,350,000 and a minimum of \$2,500,000. If the appraised value goes down, as it has, the prices only become relatively better. It is

also worth noting that in all cases WMATA is bound by the use and density requirements of the local zoning. In this case, the Takoma small area plan, completed with community input, determined that townhouses would be the use for this property. The net price to WMATA reflects the density permitted by the District small area plan. (*In this paragraph, in order to do an "apples to apples" comparison, the appraised values have been adjusted to reflect 70 market rate units, derived from 77 total units and 7 moderately priced units.)

Other Issues Raised by Members of the Community

Buffer. The buffer space along the northwest side of the road leading to Eastern Avenue is less than what is called for by the Takoma District Plan. The revised plan provides a buffer of approximately 44 feet and the Takoma District Plan calls for 50 feet. In addition to distance, there are many different ways to provide a buffer including berms, trees, walls or some combination. This is really not a transit issue, and we believe that it is best left to the District of Columbia in the PUD process.

Not full replacement parking. Certain letters to FTA suggested that residents of the newly built townhouses will be able to obtain resident parking permits, even though the spaces will be metered. The effect would be to limit the time permitted for non-resident parking, meaning that there would not be a 1:1 replacement of WMATA parking on site. The suggestion is incorrect and residents will not be able to obtain resident parking permits. According to the District Department of Transportation ("DDOT"), when resident parking is provided on-site (such as in a garage), the PUD process can result in the addresses being excluded from the Resident Permit Parking inventory. The Zoning Commission has approved such a situation for a building on Wisconsin Avenue, NW and it is part of a current case in process on 7th Street, NW. We spoke to a staff member at DDOT who was familiar with Takoma Station, and who expressed confidence the same situation would apply at Takoma Station. If for whatever reason, the spaces are not so excluded, the streets can be established as private roads with public access. In this case, the resident parking program does not apply. The result in either case is that the parking will be available for transit users, and there will be a 1:1 replacement.

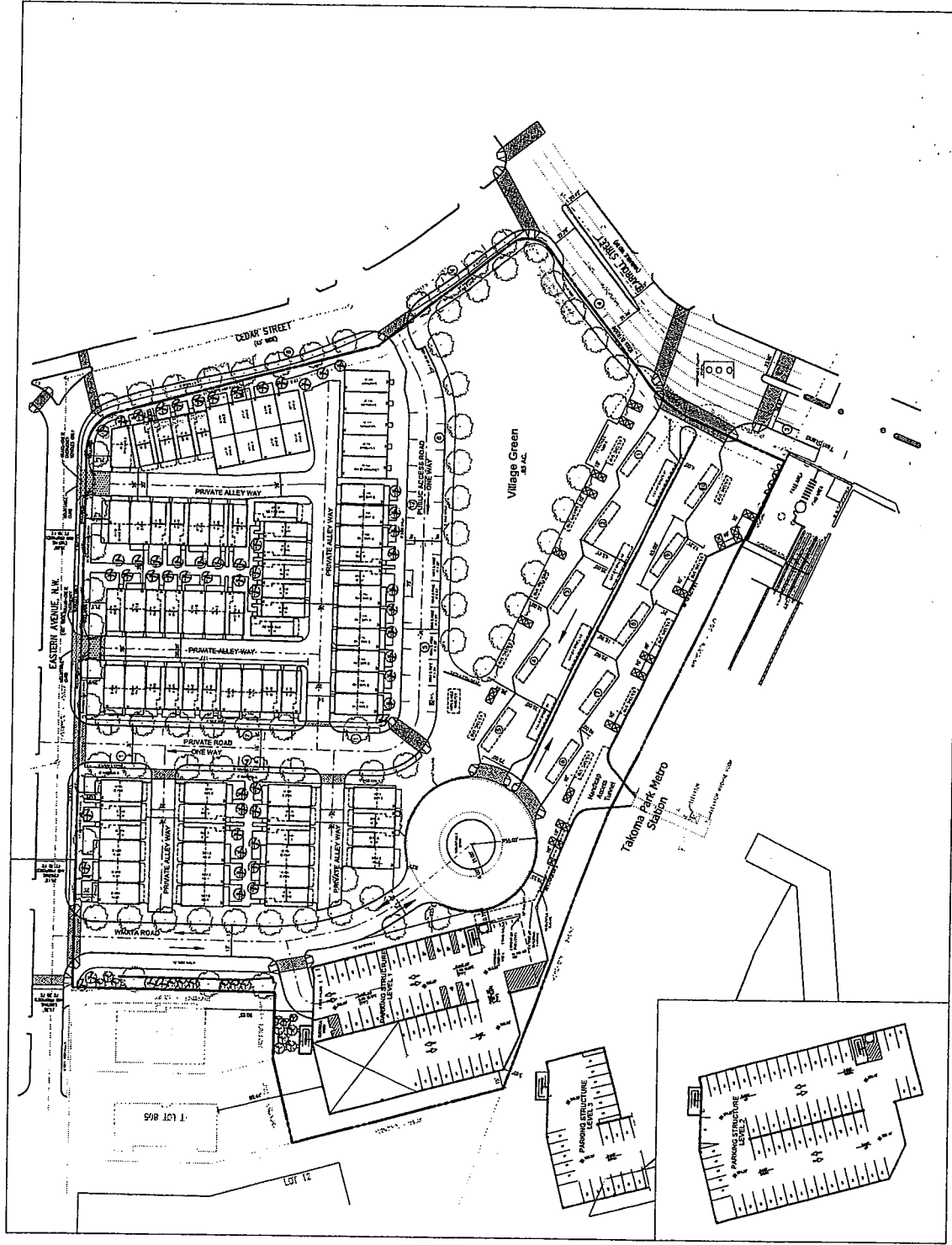
Environmental, historical and parkland impact statements should have been prepared to guide the decision-making process/NEPA question.

Section 4(f), historical and NEPA impact statements are not required for this project because this is not a federally-funded project. First, the unimproved area of the Takoma Station does not constitute a "public park" nor has WMATA pledged to create, dedicate or maintain an urban park. Thus, a Section 4(f) analysis is not required. Similarly, NEPA requirements do not apply because no federal funds are involved in this project. A system-wide EIS was prepared for the B Route to Silver Spring in 1975 prior to the opening of the station.

WMATA's application is fundamentally defective in that it did not include a hearing record, documentation of local support and a final site plan.

WMATA's submission to FTA was comprehensive and in accordance with all of the FTA requirements included in Federal Register, Vol. 72, No. 25, dated February 7, 2007 (see Checklist and Certificate of Compliance). While not required for the FTA submission, the staff report documenting the WMATA Compact public hearing addressed point by point the concerns raised by the community during the public hearing process. The document is quite extensive but WMATA will gladly supply it to FTA upon request.

REVISED PLAN



TAKOMA PARK PARKING ALTERNATIVES

STRUCTURED PARKING

GARAGE PARKING -
1ST LEVEL - 42
2ND LEVEL - 61
3RD LEVEL - 20
TOTAL OFF-STREET PARKING - 123

*INCLUDES 6 HANDICAP SPACES

ON-SITE ON-STREET PARKING

KISS AND RIDE - 5

HANDICAP SPACES - 1

TOTAL ON-SITE STREET PARKING - 39

OFF-SITE ON-STREET PARKING

TAXI STAND SPACES - 3

KISS AND RIDE - 4

PARALLEL SPACES - 12

TOTAL OFF-SITE STREET PARKING - 19

BUS LAY-OVER SPACES - 4

BUS TERMINAL SPACES - 10

70 BICYCLE LOCKERS

60 BICYCLE RACKS

TOTAL NON-BUS PARKING: 181

Bowman
CONSULTING

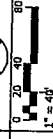
2121 Eisenhower Avenue
Suite 302
Alexandria, Virginia 22314
Phone: (703) 546-2188
Fax: (703) 683-5781
www.bowmanconsulting.com

CONCEPT SITE PLAN

SEPTEMBER 15, 2009

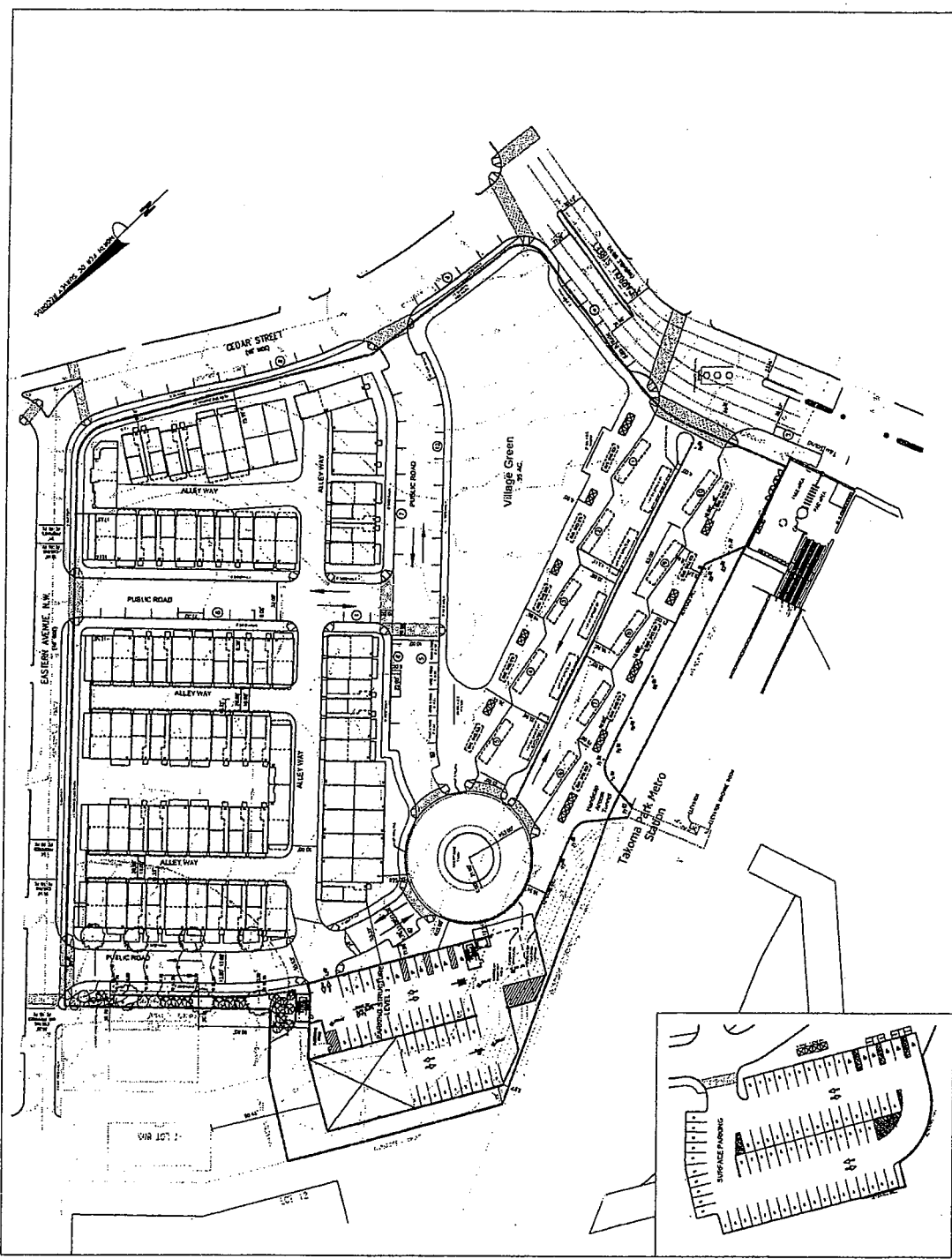
Takoma Park
Washington, DC

Eskay Young et al. Assoc., Inc.
EYA121800

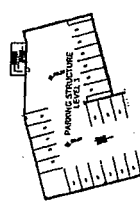
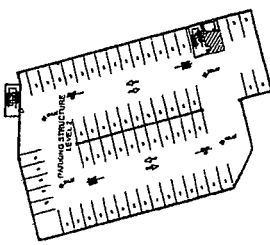


THE ENGINEERING OF
EYA

PRIOR PLAN



TAKOMA PARK PARKING	
STRUCTURED PARKING	
GARAGE PARKING -	
1ST LEVEL - 41	
2ND LEVEL - 50	
TOTAL OFF-STREET PARKING - 91*	
*INCLUDES 6 HANDICAP SPACES	
ON-SITE ON-STREET PARKING	
KISS AND RIDE - 4	
HANDICAP SPACES - 2	
STANDARD SPACES - 30	
TOTAL ON-SITE STREET PARKING - 36	
OFF-SITE ON-STREET PARKING	
TAXI STAND SPACES - 3	
KISS AND RIDE - 4	
PARALLEL SPACES - 12	
TOTAL OFF-SITE STREET PARKING - 19	
BUS LAY-OVER SPACES - 4	
BUS TERMINAL SPACES - 10	
70 BICYCLE LOCKERS	
50 BICYCLE RACKS	
TOTAL NON-BUS PARKING: 178	



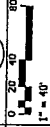
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CONCEPT SITE PLAN WITH PARKING OPTION

Takoma Park
Washington, DC

Eakin/Youngblood Assoc., Inc.
EYA121300



AUGUST 2, 2007 rev.



